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WANGER JONES HELSLEY PC

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Chapter 9 Counsel for Debtor Tulare Local Healthcare District

IN THE UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

FRESNO DIVISION

In re

CASE NO. 17-13797

TULARE LOCAL HEALTHCARE
DISTRICT, dba TULARE REGIONAL
MEDICAL CENTER,

Chapter 9

DC No.: WJH-9

Debtor.

Date: November 8, 2019

Tax ID #: 94-6002897

Time: 11:00 a.m.

Address: 869 N. Cherry Street
Tulare, CA 93274

Place: 2500 Tulare Street

Fresno, CA 93721

Courtroom 13

Judge: Honorable René Lastreto II

**DEBTOR'S OBJECTION TO PROOF OF CLAIM NUMBER 35
FILED BY MYLENE RUCKER**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE AND OTHER
PARTIES IN INTEREST:

Pursuant to 11 U.S.C. § 502 and FRBP 3007, Tulare Local Healthcare District dba Tulare Regional Medical Center (the "Debtor") objects to Proof of Claim Number 35 (the "Claim") filed by Mylene Rucker ("Rucker"). This objection is based on the following:

1. The Debtor commenced a voluntary bankruptcy petition under Chapter 9 of the Bankruptcy Code on September 30, 2017 (the "Petition Date"), in the Eastern District of California.

1 2. The claims bar date was set as April 10, 2018.

2 3. On December 6, 2017, Rucker filed Proof of Claim 35, as amended, asserting
3 priority status pursuant to 11 U.S.C. § 507(a)(4) in the total amount of \$24,000 covering a period
4 from August 2017 through October 2017. This Proof of Claim was filed on account of work
5 performed by Rucker as an independent contractor physician at a rate of \$205 per hour. A copy
6 of Proof of Claim Number 35 is attached as Exhibit "A".

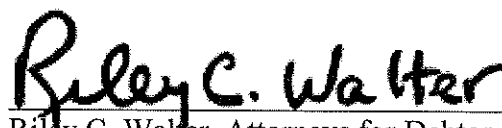
7 4. The Debtor objects to Rucker's claim on the basis that this claim is 1) not entitled
8 to priority status as only Section 507(a)(2) is incorporated into Chapter 9 by Section 901; 2) The
9 District's records reflect a lower amount of total hours worked, specifically only 66 total hours
10 from August 1, 2017 through to September 30, 2017 (the "Petition Date") for a total amount of
11 13,530.00 earned up to the Petition Date; and 3) The 40 hours purportedly worked by Rucker in
12 October 2017 were worked post-petition and should not be included in the amount asserted as of
13 the Petition Date and included in the Proof of Claim.

14 WHEREFORE, the Debtor respectfully requests that this Objection be sustained and that
15 Proof of Claim number 35 filed by Mylene Rucker be 1) denied any entitlement to priority status;
16 2) be allowed as a general unsecured claim in a total amount of \$13,530 reflecting the pre-petition
17 hours worked.

18 Dated: September 10, 2019

WANGER JONES HELSLEY PC

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20 By:


Riley C. Walter, Attorneys for Debtor,
Tulare Local Healthcare District